

Notice of Allowability

Application No.

10/686,263

Examiner

Ngoclan T. Mai

Applicant(s)

FARR ET AL.

Art Unit

1742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/7/06.
2. ☒ The allowed claim(s) is/are 1-42 and 50-56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. ☒ Notice of References Cited (PTO-892) | 5. ☐ Notice of Informal Patent Application |
| 2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>8/22/06</u> | 7. ☐ Examiner's Amendment/Comment |
| 4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. ☒ Examiner's Statement of Reasons for Allowance |
| | 9. ☐ Other _____ |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Applicant's response filed 9/7/06 to the rejection of claims 1-42 and 50-56 under 103 as being unpatentable over the combined of Sachs and Momiyama on pages 11-15 is persuasive. The claims are also patentable in view of Moussa et al. (US 2002/0176793) which teaches metallic filled paste for use in a solid freeform fabrication procedure; the paste comprises a solidifiable binding agent comprising at least one of polymerizable resin, at least one initiator and a mixture of at least two metallic powders, [0011]-[0013]. The polymerizable resin disclosed can be of different types of acrylate photopolymerizable resin activated by ultraviolet radiation, particularly a tetra-functional acrylate resin, [0027]-[0028]. The initiator can be a thermal initiator such as a peroxide based initiator, [0035] and co-initiator such as ethyl p-dimethylaminobenzoate (an amine), [0038]. The reference also teaches particles of the metallic powder can be coated with a compound such as wax to improve the paste's reactivity when employing photopolymerization, [0059]. The filler paste disclosed by Moussa is then used to form metallic products by placing the metallic filled paste material by means of a recoater mechanism and polymerizing of superimposed thin layers of the paste material by means of ultraviolet light exposure. Moussa therefore does not teach, suggest or made obvious the claimed method, which includes depositing a particulate blend that includes metal or metal alloy particulates and a peroxide and selectively providing

binder system onto the particulate powder blend. Moussa does not render claimed system for solid free-form obvious because there is no teaching or motivation to form a system where metal particulates and peroxide is formed separately and the binder is formed into a jettable material.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoclan T. Mai whose telephone number is (571) 272-1246. The examiner can normally be reached on 9:30-6:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ngoctan T. Mai
Primary Examiner
Art Unit 1742

n.m.